HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 8082 of 2007

Between:

V. Satyam and others

… Petitioners

And

The A.P. Pollution Control Board,
Rep. by its Member Secretary,
Hyderabad & others

… Respondents

:: O R D E R ::

Counsel for respondent No.1 : Shri Y. Srinivasa Murthy

Counsel for respondent No.2 : Shri S.I. Newton

Counsel for respondent No.7 : Government Pleader for Municipal Administration

Counsel for respondent No.9 : Shri M.N. Narasimha Reddy

July 19, 2007

Per G.S. Singhvi, CJ

Letter dated Nil sent by V. Satyam and nine other residents of Proddatur Municipality, Kadapa District with the complaint that the authorities of Proddatur Municipality have allowed running of industrial unit by respondent No.9 in the residential area, was treated by one of us (the Chief Justice) as a taken up petition.

In response to notice issued by the Court on 20.04.2007, counter-affidavits have been filed by respondent Nos. 2, 3, 8 and 9.

Learned counsel representing Andhra Pradesh Pollution Control Board (for short, 'the Board') made a request for adjournment by saying that action has already been initiated for closure of the industrial unit of respondent No.9.

In view of the statement made by the learned counsel for the Board, we may have to adjourn the case so as to enable the competent authority to pass appropriate order in terms of Section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31-A of the Air (Prevention and Control of Pollution) Act, 1981, but necessity of doing so has been obviated because learned counsel for respondent No.9 gave an undertaking to the Court that his client will shift the industrial unit from the residential area within a period of three months from today.

In view of the undertaking given by the learned counsel, the writ petition is disposed of as infructuous with an observation that as and when respondent No.9 applies for grant of consent in terms of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, the competent authority of the Board shall consider the same and pass appropriate order at the earliest.

A copy of this order be sent to V. Satyam, resident of 11/64, Sunderacharla Street, Proddatur Municpality, Kadapa District so that he may, if any such contingency arises, file application for revival of this case.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

July 19, 2007
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